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Case 802600



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: :
David V. Zyzak et al. : Confirmation No.: 9230
Serial No.: 09/558,458 : Group Art Unit: 1761
Filed: April 25, 2000 : Examiner: L. Wong

For: FLAVOR ENHANCING OILS

RESPONSE TO FINAL REJECTION DATED 12/05/01

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Final Rejection dated 12/05/01 in the above-identified Patent Application. The Examiner is respectfully requested to reconsider the Application in view of the following Remarks. Also enclosed is an RCE and a petition for a three-month extension for timely response.

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REMARKS

A. Status of the Case

Claims 1-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Stoltz (U.S. Patent No. 5,650,185) in view of Patel et al (U.S. Patent No. 5,153,011). Claims 1-9 are pending in the case.

B. Rejection of Claims 1-9 under 35 U.S.C. §103(a) as Being Unpatentable over Stoltz (U.S. Patent No. 5,650,185) in View of Patel et al (U.S. Patent No. 5,153,011)

The Examiner rejects Claims 1-9 as being unpatentable over Stoltz (U.S. Patent No. 5,650,185) in view of Patel et al (U.S. Patent No. 5,153,011). To establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), the prior art reference (or